

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

D-1 ADDIEL TORRES
D-2 YOANY ALVAREZ-ANTUNA
D-3 YUAN BIART-GONZALEZ
D-4 ANDY GOMEZ
D-5 ROBERTO PADRON-ALVAREZ
D-6 JORGE GARCIA-SANTIAGO

Case No. 23-mj-30466

**AMENDED
CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 16, 2023 in the county of Midland in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 1951

Offense Description
Attempted interference with commerce by Robbery.

This criminal complaint is based on these facts:
See Affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: November 22, 2023

City and state: Bay City, Michigan


Complainant's signature

Mitchell Eddy, Special Agent, ATF

Printed name and title



Judge's signature

PATRICIA T. MORRIS, Magistrate Judge

Printed name and title

AFFIDAVIT

I, Mitchell Eddy, being first duly sworn on oath, states that:

1. I have been employed as a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since February 2023. I am currently assigned to the Detroit, Michigan Field Division, Flint Field Office, where I am tasked with investigating violations of firearms and narcotics laws. I have been involved in numerous investigations involving violations of federal firearms and narcotics laws.

2. Prior to my employment with ATF, I am currently a certified and sworn law enforcement officer and have been so for approximately 13 years. During that time, I have been employed by the Midland County Sheriff's Office and I am now employed by the Midland Police Department. Since then, I have completed the following relevant specialized training courses: Michigan State Police Advance Roadside Impaired Driving Enforcement, Northeast Counter Drug Training-Detecting Misleading Behaviors in Narcotics Investigations, Michigan State Police Narcotics School, TruNarc, Outlaw Motorcycle Gangs and Narcotics, and multiple narcotic classes at Delta Police Academy. For 3 years I served as a detective with the Michigan State Police Bay Area Narcotics Enforcement Team (BAYANET). During this employment, I investigated numerous incidents involving violations of state and federal firearms and narcotics laws. During my

employment with ATF, I have conducted or participated in investigations related to the possession and manufacture of firearms and narcotics in violation of Titles 18, 21, and 26 of the United States Code.

3. I make this affidavit from personal knowledge based on my participation in this investigation, assistance from the Midland County Sheriff's Office, and others who have personal knowledge of the events and circumstances described herein, and information gained through my review of relevant documents related to this investigation. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

4. I am currently investigating the following individuals: Andy GOMEZ-NIEBLA (H/M DOB: XX/XX/XX85), Yoany ALVAREZ-ANTUNA (H/M DOB: XX/XX/XX83), Yuan BIART-GONZALEZ (H/M DOB: XX/XX/XX84), Jorge GARCIA-SANTIAGO (H/M DOB: XX/XX/XX83), Roberto PADRON ALVAREZ (H/M DOB: XX/XX/XX78), and Addiel Mejia TORRES AKA Alejandro Antonio Mejia Mendez (H/M DOB: XX/XX/XX74) for violations of 18 U.S.C. § 1951), attempted interference with commerce by robbery.

5. I am currently investigating what is believed to be an attempted robbery, by multiple individuals acting in conjunction, of an illegal marijuana grow operation in Midland, MI, Eastern District of Michigan. One or several of the

suspects are believed to be armed with a firearm during the commission of the crime.

6. Affiant was contacted by Midland County Sheriff's Office on July 16, 2023 in reference to a shooting. Affiant responded to 3220 W. Shaffer Road Coleman, MI to assist with the investigation.

7. Upon arrival, affiant was advised by MCSO Detective Scott Holzinger a Hispanic male, Addiel Mejia TORRES had been shot during the attempted robbery. TORRES was transported to MyMichigan Medical Center where he was in stable condition. Affiant was informed that the homeowner, Yariel Enrique had shot TORRES after a fight took place in Yariel's yard during an apparent attempted robbery at the residence/pole barn by TORRES and 5 other suspects. There were several individuals at the residence. Franklin advised that a security camera had been activated by motion. His father informed him of this, and they proceeded outside of the residence. An altercation ensued shortly after they exited the house. Franklin advised that a subject (TORRES) holding a firearm tackled his father (Yariel), and his father accidentally shot him in self-defense.

8. Detective Holzinger (Midland County Sheriff's Office) proceeded to process the scene. A large pole barn was located directly behind the residence, which is just to the north. There is a small area between the rear of the residence and barn. Detective Holzinger observed approximately 30-40 marijuana plants in

the area between the house and the barn. Some were potted, and some were planted in the ground. The plants were not secured, and were accessible to anyone in that area.

9. The exterior of the barn was secured with a lock. Detective Holzinger observed several holes in the exterior of the barn which were consistent with being caused by a bullet. Detective Holzinger requested permission to enter the locked barn to check for evidence related to the shooting incident. The barn was unlocked by Franklin at that time.

10. Upon entering, Detective Holzinger could immediately smell a strong odor of marijuana. Detective Holzinger observed numerous marijuana plants that were in the flower/budding stage. Detective Holzinger proceeded to the rear of this room with Lt. Marty Doolan and located several bullet holes in the northeast corner. No projectiles were located/seized. Additionally, Affiant confirmed all of Detective Holzinger's observations upon arrival.

11. The door leading to the west side of the barn was opened, and Detective Holzinger observed an additional large quantity of marijuana plants. Detective Holzinger drafted and obtained a search warrant for the residence.

12. The Michigan State Police Marijuana and Tobacco Investigation Section arrived on scene. The investigation team deemed the marijuana operation illegal. The team located 227 marijuana plants, 137 pounds of marijuana flower,

and 10 pounds of marijuana plant material. Additionally, the investigation team confirmed no one located at 3220 W. Shaffer Rd. had valid credentials to grow marijuana.

13. Detectives were advised that two subjects had been located by the MSP K9. These subjects were located approximately one half of a mile west of the location of the incident. The subjects were wearing camouflage coats and gloves. One subject had a two-way radio on the ground near him. Detective Holzinger was provided with two Apple iPhones which were removed from their person(s). The subjects were later identified as Yoany ALVAREZ-ANTUNA and Yuan BIART-GONZALEZ.

14. Two additional Hispanic males were located by the MSP K9 approximately 3 miles west of the incident. The males were located on Shaffer Road near the intersection of Lewis Road. The males were later identified as Andy GOMEZ-NIEBLA and Roberto PADRON ALVAREZ. Later, deputies returned to Shaffer Road because a citizen called in stating they found multiple backpacks at the intersection of Shaffer and Magruder. The backpacks contained breaking and entering tools including multiple prybars, a ski mask, a handheld cell phone jammer, numerous hand tools, work gloves, a snake camera, water bottles, and an inhaler.

15. An additional Hispanic male named Jorge GARCIA-SANTIAGO was arrested in Gladwin County in relation to this incident. Garcia-Santiago matched the description of the other arrestees including being dressed in full camouflage, being wet, and scratches on his face and arms.

16. A review of GOMEZ-NIEBLA'S criminal history reveals the following felony convictions:

- (a) No Priors. July 16, 2023 pending charges from this complaint.

17. A review of TORRES' criminal history reveals the following felony convictions:

- (a) 1998- Distribution of Crack Cocaine- Prison 46 Months
- (b) 1999- Convicted Aggravated Felon- Deported to the Dominican Republic. Subject removed from the United States.

18. A review of ALVAREZ-ANTUNA'S criminal history reveals the following felony convictions:

- (a) 2012- Alien Inadmissibility under section 212. Subject removed from the United States.

19. A review of BIART GONZALEZ'S criminal history reveals the following felony convictions:

- (a) 2021- Alien Inadmissibility under section 212.
- (b) 2023- July 16, 2023, pending charges reference this complaint.

20. A review of GARCIA-SANTIAGO'S criminal history reveals the following felony convictions:


(a) 2023- July 16, 2023, pending charges reference this complaint.

21. A review of PADRON-ALVAREZ'S criminal history reveals the following felony convictions:

- (a) 1996- Cocaine-Possess- Felony 3rd Degree- Adjudicated Held
- (b) 1997- Fraud-Felony- Guilty/Conviction – Felony 3rd Degree
- (c) 1998- Fraud- Guilty/Conviction- Felony 3rd Degree
- (d) 1999- Cocaine With Intent To Sell Mfg/Del- Guilty/Conviction
- (e) 1999- Burglary- Guilty/Conviction
- (f) 2001- Frauds - Guilty/Conviction
- (g) 2005- Cocaine Possess- Guilty/Conviction
- (h) 2012- Felony Marijuana Traffic- Guilty/Conviction
- (i) 2015- Felony Marijuana Traffic- Guilty/Conviction
- (j) 2020- Burglary- Disposition- Consolidated
- (k) 2022- Burglary- Guilty/Conviction

22. Based on the foregoing, I have probable cause to believe that on July 16, 2023, in the Eastern District of Michigan, Andy GOMEZ-NIEBLA, Yoany ALVAREZ-ANTUNA, Roberto PADRON-ALVAREZ, Yuan BIART-GONZALEZ, Addiel Mejia TORRES, and Jorge GARCIA-SANTIAGO were in violations of 18 U.S.C. § 1951, attempted interference with commerce by robbery.

Dated this 22nd day of November 2023.



Mitchell Eddy
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and signed in my presence, and/or by reliable electronic means.

A handwritten signature in blue ink, appearing to read "Patricia T. Morris", is written over a horizontal line.

Hon. Patricia T. Morris
United States Magistrate Judge